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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE

9 GREGORY L. HITCHCOCK,

10                   AT LAW AND IN ADMIRALTY

11                   Plaintiff,

12                   No.: 2:21-cv-01475-JHC

v.

13 BERING STAR LLC,

14                   ORDER RE: STIPULATED MOTION TO  
15                   CONTINUE CERTAIN PRE-TRIAL  
16                   DEADLINES

17                   Defendant.

18                  This matter comes before the Court on the parties' Stipulation and Proposed Order to  
19 Continue Certain Pre-Trial Deadlines ("Motion"). Dkt. # 11. Having considered the Motion  
20 and the governing law, the Court GRANTS in part and DENIES in part the Motion.

21                  Trial is set for December 12, 2022. Dkt. # 10. The parties seek extension of the  
22 deadlines for (1) disclosure of expert testimony, (2) filing of discovery motions, (3) completion  
23 of discovery, and (4) filing of dispositive motions and motions challenging expert witness  
24 testimony. Dkt. # 11. The current deadlines for each are as follows: disclosure of expert  
25 testimony (June 15, 2022), filing of discovery motions (July 15, 2022), completion of  
26 discovery (August 15, 2022), and filing of dispositive motions and motions challenging expert  
witness testimony (September 13, 2022). Dkt. # 10. The parties seek the following deadlines:  
disclosure of expert testimony (August 15, 2022), filing of discovery motions (September 13,

ORDER RE: STIPULATED MOTION  
TO CONTINUE CERTAIN  
PRE-TRIAL DEADLINES - 1  
(2:21-cv-01475-JHC)

1 2022), completion of discovery (September 13, 2022), and filing of dispositive motions and  
 2 motions challenging expert witness testimony (October 13, 2022). Dkt. # 11.

3       The Court issues scheduling orders setting trial dates and related dates to provide a  
 4 reasonable schedule for resolving disputes. First, the Court generally sets the discovery  
 5 motions deadline 30 days before the deadline for discovery to allow the Court to resolve the  
 6 motions within the discovery period. Second, the Court generally sets the discovery cut-off 30  
 7 days before the deadline for filing dispositive motions to ensure that the Court has before it a  
 8 complete record when it considers a motion that might dispose of the case. Third, the schedule  
 9 generally provides 90 days between the deadline for filing dispositive motions and the trial  
 10 date. This 90-day period considers: (a) an approximate 30-day lag between the date a party  
 11 files a motion and the date that motion becomes ripe for the Court’s consideration, *see Local*  
 12 *Rules W.D. Wash. LCR 7(d)(3); and (b) another 30 days during which the Court endeavors to*  
 13 *rule on the motion, id. LCR 7(b)(5).*

14       The Federal Rules of Civil Procedure provide that a schedule may be modified only for  
 15 good cause and with the judge’s consent. Fed. R. Civ. P. 16(b)(4). In support of their motion,  
 16 the parties state that the “purpose of this request is to allow additional fact discovery and  
 17 investigation prior to expert disclosures.” Dkt. # 11.

18       The Court will grant the parties motion in part. The deadlines for disclosure of expert  
 19 testimony, filing of discovery motions, and completion of discovery are extended as requested.  
 20 This makes the new deadlines: August 15, 2022, September 13, 2022, and September 13,  
 21 2022, respectively. However, the Court is disinclined to adopt the parties’ proposed deadline  
 22 for dispositive motions and motions challenging expert witness testimony, as extending the  
 23 deadline by one month could put the trial date in jeopardy. Substantially shortening the time  
 24 between the dispositive motions deadline and the trial date would leave inadequate time for the  
 25 parties to consider the Court’s ruling and plan for trial or an alternate resolution. The new  
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ORDER RE: STIPULATED MOTION  
 TO CONTINUE CERTAIN  
 PRE-TRIAL DEADLINES - 2  
 (2:21-cv-01475-JHC)

1 deadline for filing dispositive motions and motions challenging expert witness testimony is  
 2 September 15, 2022. All other deadlines will remain unchanged. The Court cautions the  
 3 parties that if they wish to seek additional extensions, they must be prepared to show good  
 4 cause. The Clerk is directed to send uncertified copies of this order to all counsel of record  
 5 and to any party appearing *pro se* at said party's last known address.

| EVENT  | OLD DATE | NEW DATE   |
|--|----------|------------|
| Disclosure of expert testimony under FRCP 26(a)(2)   | 06/15/22 | 08/15/2022 |
| All motions related to discovery must be filed by (see LCR 7(d))   | 07/15/22 | 09/13/2022 |
| Discovery Completed by   | 08/15/22 | 09/13/2022 |
| All dispositive motions and motions challenging expert witness testimony must be filed by (see LCR 7(d)) | 09/13/22 | 09/15/2022 |

13 Dated this 7th day of June, 2022.

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16 JOHN H. CHUN  
 U.S. DISTRICT JUDGE